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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,782	05/13/2002	Yin-Chun Huang	8963-US-PA	6245
31561	7590	01/13/2006	EXAMINER	
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE			GIBBS, HEATHER D	
7 FLOOR-1, NO. 100			ART UNIT	PAPER NUMBER
ROOSEVELT ROAD, SECTION 2			2627	
TAIPEI, 100				
TAIWAN				
DATE MAILED: 01/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/063,782	HUANG ET AL.	
	Examiner	Art Unit	
	Heather D. Gibbs	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 May 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-10 and 12-16 is/are rejected.
- 7) Claim(s) 2 and 11 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05/13/02 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,5-8,10,14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al (US 6,891,328) of Applicant's admitted prior art (APA).

3. Claim 1, which is representative of claim 10, Nakamura discloses a case having a light transparent slot shaped like a bar form, wherein the widths corresponding to the points along the longitudinal direction of the light transparent slot are not all the same (Figs 2A-3B).

Nakamura does not disclose expressly a light source illuminating the document, and an image generated at the place where the document is illuminated by the light source; at least one reflector on which the image can be projected through the light transparent slot; a lens assembly on which the image can be projected by the reflector's reflecting the image; and an optical sensor on which the image can be projected after the image passes through the lens assembly.

APA discloses a light source 120 illuminating the document, and an image generated at the place where the document is illuminated by the light source; at least one reflector 130 on which the image can be projected through the light transparent slot;

a lens assembly 140 on which the image can be projected by the reflector's reflecting the image; and an optical sensor 150 on which the image can be projected after the image passes through the lens assembly (Figs 1-2).

Nakamura & APA are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Nakamura with APA.

The suggestion/motivation for doing so would have been to enhance the quality of the optical sensor and decrease the noise, as taught by APA.

Therefore, it would have been obvious to combine APA with Nakamura to obtain the invention as specified in claim 1.

Regarding claim 5, which is representative of claim 14, Nakamura teaches wherein the light transparent slot is shaped like dual trumpets (Figs 2A-3B).

For claim 6, which is representative of claim 15, Nakamura discloses wherein the optical sensor is a charge-coupled device (15:11-16).

Regarding claim 7, which is representative of claim 16, it is inherent that the optical sensor can be a CMOS image sensor since the optical sensor is also adapted for a CCD.

Considering claim 8, Nakamura teaches wherein the light source is a fluorescent lamp (15:17-28).

4. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al (US 6,891,328) in view of Gubela (US 3,973,342).

Nakamura discloses the scanning chassis as disclosed above.

Nakamura does not disclose expressly wherein the light transparent slot is formed while the case is fabricated by injection molding.

Gubela discloses a scanning chassis wherein the light transparent slot is formed while the case is fabricated by injection molding (3:36-57).

Nakamura & Gubela are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Gubela with Nakamura.

The suggestion/motivation for doing so would have been to provide an impact resistant plastic, as taught by Nakamura.

Therefore, it would have been obvious to combine Gubela with Nakamura to obtain the invention as specified in claim 9.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 3-4, 12-13 recite the limitations "the light cone of the image", "the allowable error", and "the reflected angles". There is insufficient antecedent basis for this limitation in the claims.

Claim Objections

7. Claims 2,11 are objected to because of the following informalities: misspelling, change "lager" to –larger--. Appropriate correction is required.

Allowable Subject Matter

8. Claims 2,11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Heather D Gibbs
Examiner
Art Unit 2627


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